

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

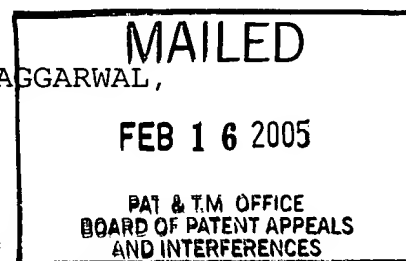
The opinion in support of the decision being entered today (1) was **not** written for publication in a law journal and (2) is **not** binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte IVO RAAIJMAKERS, RAVINDER AGGARWAL,
and JAMES KUSBEL

Application No. 09/658,784



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on December 9, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On November 24, 2003, an Information Disclosure Statement (IDS) was filed. The IDS needs to be considered by the primary examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellants of the primary examiner's decision is required.

On September 16, 2004, an Examiner's Answer was entered electronically into the record. On page 3 of the Examiner's Answer, the examiner cites "Japanese patent 06-275703, by Kondo" as prior art. The record, however, does not contain a complete English language translation of the complete reference. A machine translation does not constitute a complete translation.

Accordingly, it is

ORDERED that the application is returned to the Examiner for
a) obtaining a complete English language translation of the
complete reference 06-275703; and

b) consideration of the IDS, and any further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____



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